

FILED BY FACSIMILE 571/273-8300**Attorney Docket No. 28690-705.302****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application)	
)	
Inventor(s): Brennan et al.)	
)	Art Unit: 1644
Application No.: 10/602,998)	
)	Examiner: Babic, Christopher M.
Filed: June 23, 2003)	
)	
Title: METHOD AND APPARATUS FOR)	
PERFORMING LARGE NUMBERS OF)	
REACTIONS USING ARRAY)	
ASSEMBLIES)	

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DECLARATION UNDER 37 C.F.R. §1.131

I, Albert P. Halluin, declare as follows:

1. I was a partner at the law firm Howrey Simon Arnold & White, LLP between May, 1997 and April, 2004.
2. I am familiar with the above patent application.
3. During the relevant time frame, prior to June 4, 1999 through October, 8 1999, I was the partner responsible for Protogene, the predecessor to the current assignee, Metrigen.
4. During the relevant time frame, prior to June 4, 1999 through October, 8 1999, an associate by the name of Wallace Wu worked under my direction and supervision, and drafted the patent application which became U.S. Provisional Application 60/158,315, filed October 8, 1999.
5. Attached to this declaration as Exhibit A are copies of attorney billing records (attorney billing rates and fee amounts redacted) sent to Protogene. The matter number identified as "05871.0008.000000" is for work performed for the provisional application 60/158,315, filed October 8, 1999. These documents are evidence that counsel at Howrey Simon Arnold & White, LLP was working diligently to constructively reduce the claimed invention to practice between June 4, 1999 and October 8, 1999, the filing date of US Provisional Application 60/158,315 filed October 8, 1999, to which this application claims priority.

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6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

By: Albert P. Halluin
Albert P. Halluin

Date: August 10, 2005